

1 THE HONORABLE RICARDO S. MARTINEZ
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 SENIOR HOUSING ASSISTANCE GROUP,

No. 2:17-cv-01115-RSM

11 Plaintiff/Counter-
12 Defendant,

13 v.

14 AMTAX HOLDINGS 260, LLC, et al.

**DECLARATION OF JAKE EWART
IN SUPPORT OF RESPONSE IN
OPPOSITION TO DEFENDANTS'
MOTIONS IN LIMINE**

15 Defendants/Counter-
16 Plaintiffs.

17 AMTAX HOLDINGS 260, LLC, et al.,

18 Third-Party Plaintiffs,

19 v.

20 SENIOR HOUSING ASSISTANCE
21 CORPORATION, et al.

22 Third-Party Defendants.

23 Pursuant to 28 U.S.C. § 1746, the undersigned hereby declares that:

24 1. I am an attorney with the firm of Hillis Clark Martin & Peterson P.S., which
25 represents Plaintiff Senior Housing Assistance Group (“SHAG”) and Third-Party Defendant
26 Senior Housing Assistance Corporation in this action. I have personal knowledge of the
27 matters set forth in this declaration and am competent to testify in this matter.
28

*Declaration of Jake Ewart
(2:17-cv-01115-RSM)- 1*

HILLIS CLARK MARTIN & PETERSON P.S.
999 Third Avenue, Suite 4600
Seattle, WA 98104
Tel: (206) 623-1745

2. SHAG disclosed Robert Rozen as a potential fact witness in a supplemental initial disclosure, pursuant to Federal Rule of Civil Procedure 26(e), on July 2, 2018.

3. SHAG disclosed Robert Rozen as a potential fact witness in SHAG's pretrial statement under LCR 16(h).

4. Defendants have not taken Robert Rozen's deposition in connection with this litigation.

5. I have spoken with Robert Rozen and confirmed that he is ready, willing, and able to testify at a trial in this matter, presently scheduled to start on March 4, 2019.

6. In his proffered expert report on behalf of Defendants, David Von Tilius cites the law review article drafted by Tracy Kaye: Tracy A. Kaye, *Sheltering Social Policy in the Tax Code: The Low-Income Housing Credit*, 38 Villanova L. Rev. 871 (1993).

I hereby declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

DATED this 6th day of February, 2019, at Seattle, Washington.

s/Jake Ewart
JAKE EWART

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of February 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to all counsel of record.

DATED this 6th day of February 2019, at Seattle, Washington.

By s/Jake Ewart
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